

05-09-05

IFW

Please type a plus sign (+) inside this box → +

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

545 + CD

Application Number

10/684,796

Filing Date

October 14, 2003

First Named Inventor

GARMAN, JONATHAN DAVID

Group Art Unit

1644

Examiner Name

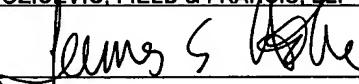
Attorney Docket Number

VITA-019

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Response to Notice to Comply <input checked="" type="checkbox"/> Certification of Sequence Listing <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Paper copy of Sequence Listing <input checked="" type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <ul style="list-style-type: none"> 1. Substitute Specification-clean copy 2. Substitute Specification - marked 3. Copy of Notice to comply 4. Postcard
<small>Remarks</small>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Signing Attorney/Agent (Reg. No.)	JAMES S. KEDDIE, PH.D., 48,920 BOZICEVIC, FIELD & FRANCIS, LLP	
Signature		
Date	May 4, 2005	

EXPRESS MAIL LABEL NO. EV577672749US

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

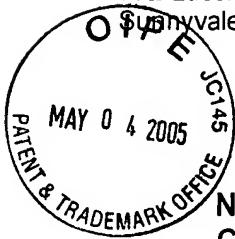


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/684,796	10/14/2003	Jonathan David Garman	AVC72

Jonathan David Garman
 772 Lucerne Drive
 Sunnyvale, CA 94085



COPY

CONFIRMATION NO. 4233
FORMALITIES LETTER



OC000000015399611

Date Mailed: 03/09/2005

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
 CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
 DISCLOSURES**

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

To Download Patentin Software, visit <http://www.uspto.gov/web/patents/software.htm>
 For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Nyan

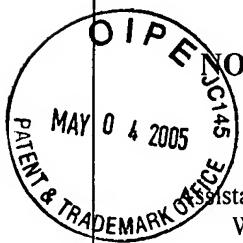
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/04/05

EV577672 749US



**RESPONSE TO
NOTICE TO COMPLY**

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This communication is in response to the Notice to Comply dated March 9, 2005.

The Notice to Comply states that the application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825.

In response, the Applicants submit herewith:

- a) a substitute specification in which all sequences are associated with a SEQ ID NO; and
- b) a paper and CRF copy of a sequence listing.

Please replace the present specification with the enclosed substitute specification. The enclosed substitute specification introduces no new matter to the application. In accordance with 37 C.F.R. § 1.125 (b), both a marked up copy and a clean copy of the substitute specification are enclosed with this response.

In view of the substitute specification and sequence listing filed herewith, the Applicants believe that the application is now in compliance with 37 C.F.R. §§ 1.821-1.825.

Attorney Docket Confirmation No.	VITA-019 4233
First Named Inventor	Jonathan David Garman
Application Number	10/684,796
Filing Date	October 14, 2003
Group Art Unit	1644
Examiner Name	TBD
Title	<i>Modulation of Signaling Pathways</i>

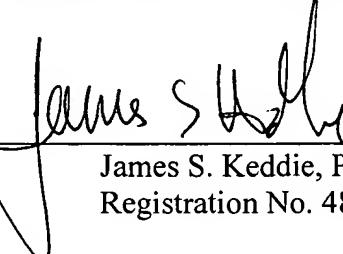
The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815.

Respectfully submitted,

BOZICEVIC, FIELD & FRANCIS LLP

Date: May 4, 2005

By:


James S. Keddie

James S. Keddie, Ph.D.
Registration No. 48,920

encs:

- Substitute Specification, both clean copy and marked up copy

BOZICEVIC, FIELD & FRANCIS LLP
1900 University Ave., Suite 200
East Palo Alto, CA 94303
Telephone: (650) 327-3400
Facsimile: (650) 327-3231

F:\DOCUMENT\VITA\019\substitute specification cover letter.doc